UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/368,792	08/05/1999	SANDRA L. STANDIFORD	10981001-1	5929

22879 7590 06/19/2003

HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER	
TRAN, THAI Q	
ART UNIT	PAPER NUMBER
2615	

DATE MAILED: 06/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/368,792	STANDIFORD ET AL.	
	Examiner	Art Unit	
	Thai Tran	2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *05 August 1999* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 5 .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-6, 9-11, and 14-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunlap et al ('552) in view of Yamamoto et al ('338).

Regarding claim 1, Dunlap et al discloses a dual decks VCR (Fig. 1), the apparatus comprising:

an analog video cassette player (VCR1 of Fig. 3, col. 4, lines 12-20) for producing analog video output; an analog video cassette recorder (VCR2 of Fig. 3, col. 4, lines 35-45) for storing the video signal outputted from an analog video cassette player; and wherein the analog video cassette player and an analog video cassette recorder are disposed within a single container. However, Dunlap et al does not specifically discloses an analog to digital converter for converting said analog video output into digital and at least one recorder employing a digital storage medium.

Yamamoto et al teaches a duplicator having A-D converter for converting the video signal output from analog source tape reproducing device (col. 2, lines 64-68) and a least digital disc recorder for recording the output of the A-D converter (col. 2, line 68 to col. 3, line 6) so that the quality of the signal to be duplicated can be increase (col. 1, line 54 to col. 2, line 5).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the A-D converter 9 and the disc recorder 13 as taught by Yamamoto et al into Dunlap et al's system in order to increase the quality of the video signal to be duplicated.

Regarding claim 2, Dunlap et al further discloses a video port for receiving analog video information from an external source (22 and 24 f Fig. 3, col. 4, lines 24-28).

Regarding claim 3, Dunlap et al also discloses the claimed wherein the video cassette player employs a VHS format (col. 4, lines 16-20).

Regarding claim 4, the combination of Dunlap et al and Yamamoto et al does not specifically disclose a CD-R or a CD-RW. It is noted that CD-R and CD-RW are well known and old in the art and therefore Official Notice is taken.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the well known CD-R or a CD-RW since it merely amount to selecting an alternative equivalent digital disc recorder.

Regarding claim 5, the combination of Dunlap et al and Yamamoto et al does not specifically disclose a recordable DVD. It is noted that the recordable DVD is well known and old in the art and therefore Official Notice is taken.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the well known recordable DVD into the combination of Dunlap et al and Yamamoto since it merely amount to selecting an alternative equivalent digital disc recorder.

Regarding claim 6, Dunlap et al teaches that the recording medium is selectable by the user (VCR2, col. 4, lines 12-45).

Regarding claim 9, the combination of Dunlap et al and Yamamoto et al does not specifically disclose wherein the video cassette player employs the 8 mm format. It is noted that the 8 mm video cassette player is well known and old in the art and therefore Official Notice is taken.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the well known 8mm video cassette player into the combination

of Dunlap et al and Yamamoto since it merely amount to selecting an alternative equivalent video cassette recorder.

Method claim 10 is rejected for the same reasons as discussed in apparatus claim 1 above.

Regarding claim 11, Yamamoto et al also teaches the claimed determining a required digital storage format prior to said step of converting based upon detection of a format of an inserted storage medium (col. 2, line 64 to col. 3, line 6).

Method claim 14 is rejected for the same reasons as discussed in claim 4 above.

Method claim 15 is rejected for the same reasons as discussed in claim 5 above.

Regarding claim 16, the combination of Dunlap et al and Yamamoto et al does not specifically disclose wherein the digital storage medium is digital tape. It is noted that digital tape recorder is also well known and old in the art and therefore Official Notice is taken.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the well known digital tape recorder into the combination of Dunlap et al and Yamamoto since it merely amount to selecting an alternative equivalent video cassette recorder.

Method claim 17 is rejected for the same reasons as discussed in claim 3 above.

Method claim 18 is rejected for the same reasons as discussed in claim 9 above.

Claim 19 is rejected for the same reasons as discussed in claims 1 and 4-5 above.

4. Claims 7-8, 12-13, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunlap et al ('552) in view of Yamamoto et al ('338) as applied to claims 1, 10, and 19 above, and further in view of Tognazzini ('147 B1).

Regarding claim 7, the combination of Dunlap et al and Yamamoto et al discloses all the features of the instant invention as discussed in claim 1 above except for providing a key frame marker for marking abrupt changes in video image sequences, thereby enabling a user to readily locate a beginning and an end of a particular video sequence.

Tognazzini teaches a delayed decision recording device having a key frame marker (col. 6, lines 8-25) for marking abrupt changes in video image sequences, thereby enabling a user to readily locate a beginning and an end of a particular video sequence so that the video program can be captured from the beginning even though the decision to capture the video signal is delayed until after the program material has started (col. 1, lines 43-54).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the delayed decision recording device as taught by Tognazzini into the combination of Dunlap et al and Yamamoto et al in order to allow the user to capture the video program from the beginning even though the decision to capture the information is delayed until after the program material has started.

Regarding claim 8, Tognazzini also teaches a key frame marker for marking positions in a sequence of said digital data at selectable time intervals (col. 6, lines 8-25).

Regarding claim 12, Tognazzini teaches the claimed inserting at least one marker in said digital video data to identify abrupt changes in video scenery, thereby enabling a user to readily identify particular video sequences during playing of said digital video data (col. 6, lines 8-25).

Regarding claim 13, Tognazzini discloses the claimed inserting at least one marker in said digital video data at selectable time intervals, thereby enabling a user to readily move to selected chronological points in a video sequence during playing of said digital video data (col. 6, lines 8-25).

Regarding claim 20, Tognazzini discloses the claimed a key frame marker for inserting index markers in said digital data marking abrupt changes in video image sequences, and alternatively, at selectable time intervals (col. 6, lines 8-25).

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The cited references relate to an apparatus for recording video signal.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai Tran whose telephone number is (703) 305-4725. The examiner can normally be reached on Mon. to Friday, 8:00 AM to 5:30 PM.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

TTQ
June 15, 2003

THAI TRAN
PRIMARY EXAMINER